

REMARKS

[0007] This response is filed with a Request for Continued Examination (RCE). Applicant respectfully requests entry of the following remarks and reconsideration of the subject application, Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-8, 10-12, 14-22 and 24-26 are presently pending. Claims amended herein are 1-5, 7, 11, and 16-22. No claims are herein withdrawn or cancelled. No new claims are herein added.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then we formally request an interview with the Examiner. We encourage the Examiner to call the undersigned representatives for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact us to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-5, 7, 11, and 16-22 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited reference.

[0011] Independent claims 1, 11, and 21 are amended to include subject matter from the specification and dependent claim 2. Support for the amendments to the independent claims is found in the specification at least at paragraphs [0031]-[0033], Fig. 1 and Fig. 2.

[0012] Claim 2 is amended to include subject matter from the specification, with support for the amendments to found at least at paragraphs [0033].

Substantive Matters

Claim Rejections under § 102

[0013] Claims 1-8, 10-12, 14-22 and 24-26 are rejected under 35 U.S.C. § 102. In light of the amendments presented herein and the agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot.

[0014] Accordingly, Applicant respectfully requests that the § 102 rejections be withdrawn and the case be passed along to issuance.

[0015] The Examiner's rejections are based upon **Dunbar: Dunbar, et al.**, US Patent Application Publication No. 20040268397 (Published December 30, 2004).

Overview of the Application

[0016] The Application describes a technology for facilitating playback of video segments (with transforms applied therein) which can be both glitch-free and realtime.

Cited Reference Dunbar

[0017] Dunbar describes a system and methods to provide handling of variable rate playback in a multimedia computer architecture. The system and methods provide data structures and interfaces that enable a computer architecture and components therein with the ability to playback data at speeds faster and slower than real-time, to playback data in reverse, and to change the rate of playback at any point during the playback. The methods include determining a minimum of the maximum reported playback rates and determining minimum and maximum playback rates in a set of modes including: Reverse skip mode, reverse key frame mode, reverse full mode, forward full mode, forward key frame mode, and forward skip mode.

Anticipation Rejections

[0018] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.¹ Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.²

[0019] The Examiner rejects claims 1-8, 10-12, 14-22 and 24-26 under 35 U.S.C. § 102(c) as being anticipated by Dunbar. Applicant respectfully traverses this rejection. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

¹ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

² See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent Claim 1

[0020] Applicant submits that Dunbar et al. does not anticipate this claim because it does not disclose at least the following features as recited in claim 1, as amended (with emphasis added):

- the plurality of encoded multimedia clips *collected in a timeline of a video editing system,*
- *obtaining one or more transforms;* and
- *applying the one or more transforms to at least one of the plurality of decoded multimedia clips* to form a multimedia segment;

[0021] The Examiner indicates (Action, p. 3) the following with regard to this claim:

Regarding Claim 1: Dunbar et al. discloses one or more processor-readable media having processor-executable instructions that, when executed by a processor, performs acts comprising: obtaining an encoded multimedia segment, the segment having a defined normal decode schedule which designates a normal rate for decoding the multimedia segment (**paragraph 0067**); decoding the multimedia segment at a rate greater than the normal decode schedule (**paragraph 0066**); buffering the decoded multimedia segment produced by the decoding (**paragraph 0089**); real time glitch-free playback of the just-buffered and just-decoded multimedia segment, wherein the real time glitch-free playback comprises rendering and presenting the just-buffered and just decoded buffered multimedia segment such that the just-buffered and just-decoded multimedia

segment is played back without glitch, interruption, jumpiness, jerkiness, or change in playback speed (**Abstract, paragraph 0005 and 0089**).

[0022] Dunbar does not disclose that the multimedia clips are collected in a timeline of a video editing system. Consequently, Dunbar does not disclose all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-8, 10

[0023] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable over the cited Dunbar reference. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited reference. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 11

[0024] Applicant submits that Dunbar et al. does not anticipate this claim because it does not disclose at least the following features as recited in claim 11, as amended (with emphasis added):

A system for facilitating glitch-free realtime playback of a multimedia segment from a within a video editing system, the system comprising:

- a decoder configured to decode an encoded multimedia segment, *the encoded media segment comprising at least one of a plurality media clips collected in a timeline of the video editing system*

Dependent Claims 12, 14-20

[0025] These claims ultimately depend upon independent claim 11. As discussed above, claims 11 is allowable over the cited Dunbar reference. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited reference. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 21

[0026] Applicant submits that Dunbar et al. does not anticipate this claim because it does not disclose at least the following features as recited in claim 21, as amended (with emphasis added):

- receiving a playback command to initiate playback of an encoded multimedia segment, *the encoded media segment comprising at least one of a plurality media clips collected in a timeline of the video editing system*
- transforming the decoded multimedia segment by applying a *transform to at least one of the plurality of media clips*

Dependent Claims 22, 24-26

[0027] Claims 22 and 24-26 ultimately depend upon independent claim 21. As discussed above, claims 21 is allowable over the cited Dunbar reference. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited reference. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Conclusion

[0028] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully submitted,

Lee & Hayes, PLLC
Representatives for Applicant

Dated: April 16, 2009

By: /Brendan E. Squire 48,749 /

Brendan E. Squire
Reg. No. 48,749
509-944-4755
brendan@leehayes.com

Beatrice L. Koempel-Thomas
Reg. No. 58213
509-944-4759
bea@leehayes.com

Assistant: Cherri Simon
509-944-4776
cherri@leehayes.com

www.leehayes.com